

APR 01 2013

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

| | | |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | CASE NO. 7:99CR00032 |
| |) | (CASE NO. 7:13CV80577) |
| |) | |
| v. |) | FINAL ORDER |
| |) | |
| |) | |
| CALVIN BERNARD GREEN, |) | By: James C. Turk |
| |) | Senior United States District Judge |

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that defendant's motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED without prejudice** as successive, and this action is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 30th day of March, 2013.

[Signature]
Senior United States District Judge